App. F. IX-4

Previous References

Bombay Govt Gazette
20th October 1887.

Later References

192 7. (~~Land~~ Courts.)

File No. 286-27

Serial Nos. 1 — 3

General and Revenue Secretariat.

Serial Nos.

Part B for July. 1928

SUBJECT

Promulgation of rule to prevent assembly of drums in disturbed areas

No P 95, 96 & 103 D S · 7 · 28 To the Registrar of the Bombay High Court of Magistrates of the Dist

28-7-28

8

Code of Criminal Procedure

II of 1904

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

1) Notifications contemplated under Sections 26 9(1) & 32(6) are being issued.

2 Govt have framed rules under Sections 16, 45(3), 68(2), 134(2) 174(1)(c), 174(3) & 392, 399(1), 401(6) 544, 549(1) and 565(3). Rules have been framed under Sections 16 and 392. It is not known whether rules have been framed under The remaining Sections. The Committee with Section has the Committee with regard to this.

3. The Rules that have to be framed by the Chief Court under Sections 26 and 554 do not appear to have been framed. The Chief Court has been Committee about this

Draft to be

N 1/12

4) To the Court Section for noting if rules or notifications have been issued under the Sections referred to in para 2 above

Draft IX

N.B Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

V 2 9

G.R.S. [II—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Section 16. refers to the powers to frame rules for the guidance of Bench courts.

The question of issuing the Draft fixing the sanction of Govt for the exercise that may be made by the Bench courts under 16(4) is under consideration.

As regards other enhancements orders have been passed.

Orders have been issued stating that Govt Sanction must be obtained beforehand.

Copies of the rules issued by the several DCs have been called for.

Sec 45(3) has been amended by Regulation ~~XII~~ VI of 1927 - The Power of the Bench may be exercised to appoint a person or persons to be Village Headman or Headmen - The DMs may be enquired whether such persons have been appointed. Govt need not frame any rule

This may be done.

We are ~~asking~~ the Police Financial Secy if any Headmen have been appointed

Sec 58(2) Summons by whom served. The police are serving summonses. No rules appear to have been framed by Govt. But the Chief Court have issued necessary R. Ps (with the approval of Govt). Vide Page 11 (Criminal Rules - vol I)

No further action is perhaps called for

V.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

10 (3 3

G.R.S. III—8]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

8 Section 13 (2) Notification of order for the removal of a nuisance. - Govt have to prescribe the mode in which the notification has to be published No rules have been framed by Govt under this section. The Chief Court may perhaps be consulted as to whether any special rule is necessary or it is sufficient to publish the notification in the gazette.

This will be done if approved. VB

9 Sections 174 (1)(c) and 174 (3). Power to inquire and report on suicide etc

Necessary rules have been framed and embodied in our Police Manual Vol I - chapter XVIII.

9/8 VB

10 Section 399. Confinement of youthful offenders in reformatories. As no reformatories have been established by Govt. no rules seem necessary now.

Consult the Prisons Section if any rules are made - VB

11 Section 401 (6) Power to suspend or remit sentences. Rules have been framed and embodied in the Jail Manual Vol I - chapter XXIX

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

12 Indian Oaths. Expenses of witnesses and complainants, orders have been framed and embodied in Criminal Rules Vol I

Page 79

U F

330/1927
P

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Section 529 Delivery to military authorities of persons liable to be tried by Courts-martial

Section 3 - Military Regulation Page 481 - Vol II Mysore Code. lays a list of offences triable by the military. Hence no separate rules seem necessary.

*This does not refer to cases to be tried by ordinary courts

Section 565. Notification of residence by previously convicted persons - Rules have been framed and are embodied in Police Manual Vol I - Page 100.

The Chief Court have framed rules under sections 276* & 554* and have been incorporated in Criminal Rules V.A.T.

* page 31 Vol I

Vol II

Assuming the Dues and the Chief Court will be addressed as regards ~~rules~~ the persons to be appointed under section 45 (3) and the mode of publication of the notification to revenue & bailiffs respectively under Sec 134 (2);

Vide, Paras 6 and 8 supra

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Submitted for orders. Please see marginal remarks

12530/ Jus 458 (5 5)

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Mily
Pensions Secy
19/11/28

Q

Rd
This may be sent to the Pensions Authorities with reference to paras 10 and 13 above (Pensions and Military sections) for kind ~~note~~ putting up a note to the Supdg Engineer, Nowshera Camps
B
19/11/28

Pl. A copy of Sec 54 of B.P.6. is put up.
There seems to be no necessity to frame separate rules Sec. C. paras 40 and 95 of the Mily Regulation ~~say~~ prescribe the procedure to be followed in cases in which a Criminal Court and a military authority have each jurisdiction in respect of an offence. In such cases the Govt will decide as to the Court in which the proceedings have to be instituted.

Pl. 20/11/28
10/12/28 11/12/28

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

5658

1330/4

5658

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Reformations have not yet been established. Till then no rules

Other optha Asstts are shown on the previous page. This portion also

MBK 16/1/28

11/1

17/1

17/1 ds

Mr is maybe sent to the Police section for known nothing whether Village Headmen have been appointed vide orders on the margin of Para 6.

Pol.

18/1/28

From para 557 of the Bengal Police Manual Vol I (Chap. IV) it will be seen that the Village Patel is responsible for the regular performance of Village Police duties.

To the Collector

26/1

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

23

Sirkar write a draft to the Regr. Chief Court as regards rules under section 134 Cr. Procedure code.

27.1.28

To the Regr Chief Court

BOP 4191 Dt 28.1.28.

Requests to intimate whether any Spl rules are necessary or it is sufficient to publish the matter in the Gazette & if any Spl rules are necessary a draft of the rules may be forwarded for the approval of Court

Letter no 930 of 19.6.28 from the Registrar Chief Court forwarding a draft of the rule proposed under Sec 134 (2) of Cr. P.C. re: the Notification for the removal of nuisance

for orders.

23/6

publication in the Gazette and by beat of drum in the localities concerned seems sufficient. The words "and in such

V.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

8

6091/P.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

local newspapers, if there be any, as the Magistrate issuing the proclamation thinks fit" in the draft proposed by the Chief would perhaps be omitted.

Secy)

10780/27/6

Draft as proposed by the Ch. Cl. may be adopted

3rd June

27.6

27/6

28/6.

Draft approved

27/6

2/8/6.

27

To the Comptroller Mg
8003/94 D/5.7.28.

8K3.

Directs that a proclamation should be published by notification in the Mysore Gazette & in such local newspapers

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

7 6091 9

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

if there be any, as the Magistrate issuing the proclamation thinks fit, and by beat of drum at the place where the nuisance to be abated or removed is situate

To the Registering Court
The Dy Magistrate of Dh
No P 95 & 96 dt 03 8/5/28
Has a Copy of the above

B
16/7

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

A. F. F. VI. G[illegible]

SUBJECT.....

.....

.....

Section C6

File No. 886-27

Serial No. 1

No. 4191

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

Date of issue 28/1/28

Signed by M^r Tod

To The Regr. Ishiey Court

Sir,

I am directed to invite reference to section 134 (2) of the Criminal Procedure re the notification for the removal of a nuisance and to state that so far as appears to this office the rules have been framed duly first as regards the mode by which the order of the magistrate for removal of a nuisance has to be published. I am to request you to kindly intimate whether any special rules are necessary or

over

List of enclosures.....

Copied by .....

Examined by .....

WD 0325—GPD—8,000—26-5-27

2

It is suggested to publish the same order
& forgotten. If any special
rules are necessary a draft of the
proposed rules may be forwarded
for the approval of Govt.

Yours etc

27/1

27.1.27
27/1

6091
P

Telgm:
"JUSTICE"

3

CHIEF COURT OF MYSORE,
Public Office Buildings, Cubbon Park,

Bangalore....19th...June.....*192* 8.

R. O. C. No. 930 Cub: One
Dis. 27-28

CB 286-27-

From

T. SINGARAVELU MUDALIAR,
~~A. Sreenivasaragavachari~~, Esq., B.A., B.L.,
Registrar, Chief Court of Mysore.

To

B. NAGAPPA, Esq., Bar-at-Law.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Sir,

With reference to your letter No. P. 4191/Cts. dated 28th January 1928 enquiring if any special rules are necessary under Section 134 (2) of the Criminal Procedure Code re: the Notification for the removal of nuisance, I am directed to state that a Notification on the lines of the one issued by the Bombay Government (Vide No. 6067 dated 14-10-1887 printed at page 867 Part I of the Bombay Government Gazette dated the 20th October 1887) may issue, with the modification that the publication by beat of drum may be at the place where the nuisance to be abated, or removed is situated and to forward herewith a draft of the rule proposed.

I have the honour to be,

Sir,

Your most obedient servant,

T Singaravelu
Registrar.

ad

Ch 286-27-3

4

Proc 94 of 5/7/28.

Ch 1

NOTIFICATION.

In exercise of the power conferred by the Second paragraph of Section 134 of the Code of Criminal Procedure, 1904, the Government of His Highness the Maharaja of Mysore are pleased to direct that a proclamation of the kind referred to in the said paragraph shall be published by Notification in the Mysore Gazette and in such Local Newspapers, if there be any, as the Magistrate issuing the proclamation thinks fit, and by beat of drum at the place where the nuisance to be abated or removed is situated.

Linganaiah
Registrar.

By order.

for Secy to Govt
Law Dept.

To
The Superintendent, Mysore Gazette,
for publication.

Copy to —
(1) The Regr., Ch. Ct., with reference to his letter No. 9320 dt. 19.6.28
(2) The Dt. Magrs. for information & communication to the Subordinate Magrs.

Proc 95

Proc 96-103 of 5/7/28